

REMARKS

Claims 1, 11, 17-22 and 25-27 have been canceled. Claim 24 has been amended. Support for the amendment to Claim 24 can be found in original Claim 7, at page 16, line 17, through page 17, line 6, and at page 19, lines 5-11. The amendment does not add new matter. New Claims 28-30 are added. Support for new Claim 28 is found in the specification, for example, at page 28, lines 5-11 and page 30, line 12, through page 32, line 11. Support for new Claims 29 and 30 is found in the specification, for example, at page 11, line 22, through page 12, line 3, and at page 16, lines 17-23. The new claims do not add new matter. Applicant submits that the new claims are similar in scope to Claim 24 prior to amendment, and accordingly, the new claims do not raise new issues. Applicant therefore respectfully requests entry of the new claims, claim amendments and reconsideration of the application in view of the amendments and following remarks.

The present invention

The present invention relates to, *inter alia*, a method for treating human pollinosis in a subject, comprising: administering kaempferol-3-glucoside in an effective amount to a subject who suffers from pollinosis.

According to the method of the present invention, symptoms of pollinosis such as sneezing, nasal discharge, nasal congestion etc. can be ameliorated. These effects of the present invention, and effective amounts of kaempferol-3-glucoside are illustrated by Example 5. As shown in Table 1 in the present specification, it can be seen that the point score for each of the symptoms increased after drinking the astragalin (kaempferol-3-glucoside) solution was stopped, as compared with the point score while drinking the astragalin solution.

As above, various symptoms of human pollinosis can be effectively treated by the method of the present invention, and thereby impediments to daily life can be decreased.

The Office Action

Applicants submit the following remarks in response to the Office Action of March 3, 2006.

Restriction Requirement

Claims 25-27 were restricted as independent or distinct from the originally claimed invention. Claims 25-27 are canceled herein. Accordingly, the Restriction Requirement is moot.

Rejections under 35 U.S.C. § 102

Claims 1 and 18-22 were rejected under 35 U.S.C. § 102 (b) as being anticipated by US Pat. No. 4,808,574. Claims 1 and 18-22 are canceled herein. Accordingly, this rejection is moot.

Claims 1 and 17-22 were rejected under 35 U.S.C. § 102 (b) as being anticipated by US Pat. No. 5,478,579. Claims 1 and 17-22 are canceled herein. Accordingly, this rejection is moot.

Rejection under 35 U.S.C. § 112, first paragraph – written description

Claims 1, 11-15, 17-22, and 24 are rejected as failing to comply with the written description requirement. The Office Action states that the amendments to Claims 1, 17 and 24 introduced new matter.

Claims 1, 11 and 17-22 are canceled herein. Accordingly, the rejection as to these claims is moot.

Claim 24 is rejected as containing new matter because the specification allegedly does not support the range recited in Claim 24. Claims 12-15 apparently are rejected as depending from Claim 24.

Claim 24 is amended herein to no longer recite the numerical values to which the Office Action objects, and to instead recite “in an effective amount.” Claim 24, as amended is fully supported by the specification as can be seen, for example, in original Claim 7, at page 16, line 17, through page 17, line 6, and at page 19, lines 5-11. Accordingly, Applicant submits that Claim 24 is fully described by the specification. In view of the amendment to Claim 24, Applicant respectfully requests removal of the rejection of Claim 24. In addition, since Claims 12-15 appear to be only rejected as dependent from a rejected base claim, Applicant further requests removal of Claims 12-15, which ultimately depend from Claim 24.

CONCLUSION

A three-month extension of time is respectfully requested. A check to cover the three-month extension is enclosed. Please charge any additional fees, or credit overpayment to Deposit Account No. 11-1410.

Filed : January 18, 2002
Appl. No. : 09/937,365

In light of the Applicant's amendments to the claims and foregoing Remarks, it is respectfully submitted that the present application is fully in condition for allowance, and such action is earnestly solicited. Should the Examiner have any remaining concerns, the Examiner is respectfully invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 2, 2006

By: 

Kerry Taylor
Registration No. 43,947
Attorney of Record
Customer No. 20,995
(619) 235-8550

2799313
080106